

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Filed 7-28-06

MARTHA CASTILLEJA, AS LEGAL )  
REPRESENTATIVE OF THE ESTATE )  
OF ALFONSO CASTILLEJA, )  
DECEASED AND INDIVIDUALLY AS )  
HEIR AND GEORGE A. CASTILLEJA, )  
JAMES E. CASTILLEJA AND CYNTHIA )  
A. LOPEZ, INDIVIDUALLY AND AS )  
HEIRS OF ALFONSO CASTILLEJA, )  
DECEASED AND MARTHA )  
CASTILLEJA AS NEXT FRIEND OF )  
NICOLAS G. CASTILLEJA, A MINOR )  
AND HEIR OF ALFONSO CASTILLEJA, )  
DECEASED )

Plaintiffs,

v.

ALCOA INC., d/b/a ROCKDALE )  
WORKS, KELLY STAFFING )  
SERVICES, INC. d/b/a KELLY )  
SERVICES, INC., GEORGE KOEHLER, )  
R.N., VESCOM CORPORATION AND )  
ARLENE BRISTER )

Defendants.

Clerk, U. S. District Court  
Western District of Texas

By yna  
Deputy

Civil Action No. A05CA580 SS

**AGREED FINAL JUDGMENT**

On this date came to be heard the above-styled and numbered cause. The Parties appeared in person and/or through their counsel and requested entry of this Judgment based on their agreements. Based on the statements and representations of the parties and their counsel, the Court finds as follows:

It is ORDERED, ADJUDGED, and DECREED that Plaintiffs Martha Castilleja, Individually, George A. Castilleja, Individually, James E. Castilleja, Individually, Cynthia A. Lopez, Individually, and Martha Castilleja as next friend of Nicolas G. Castilleja take nothing

from Defendants Alcoa Inc., d/b/a Rockdale Works, Kelly Staffing Services, Inc. d/b/a Kelly Services, Inc., George Koehler, R.N., Vescom Corporation and Arlene Brister ("Defendants").

It is further ORDERED, ADJUDGED and DECREED that the adult Plaintiffs Martha Castilleja, George A. Castilleja, James E. Castilleja, and Cynthia A. Lopez are authorized to enter into a settlement with Defendants in the manner that has been recited to the Court, which settlement has a present value of ONE-HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00). It is understood that the adult Plaintiffs, and duly appointed guardians of the minor Plaintiff, recognize their responsibility for the medical expenses and care of the minor Plaintiff in the past and for the expected medical expenses and care of the minor Plaintiff, continuing until the minor Plaintiff has attained the age of 18. The adult Plaintiffs fully understand that they will have no future right to recover any damages, either for themselves or for Nicolas G. Castilleja.

It is further ORDERED, ADJUDGED and DECREED that of the award to the minor Plaintiff, funds shall be placed in a structured settlement for the minor Plaintiff, funded through the purchase of an annuity from Allstate Life Insurance Company, in the form and in the manner recited to the Court. The obligation to make the annuity payments has been transferred through a "qualified assignment" within the meaning of § 130(c) of the INTERNAL REVENUE CODE of 1986 as called for in the Settlement Agreement, the terms of which were made known to the Court. It is understood that all sums herein are awarded as compensation for personal injuries to and death of Alfonso Castilleja. The Court notes that the annuity payments to Nicolas G. Castilleja shall not be anticipated by the recipient, and shall not be subject to any sale, transfer, assignment, pledge, hypothecation or any other disposition, in whole or in part, by the recipient, save and except that at the respective date Nicolas G. Castilleja attains the age of 18 years, or

otherwise has his disability of minority removed, and provided that the recipient is otherwise legally competent, such recipient may designate a beneficiary or otherwise provide for the disposition of any subsequent annuity payments due to such recipient by will or other lawful device.

It is further ORDERED, ADJUDGED and DECREED that the Court approves the settlement referred to herein, and finds that all payments have been made by or on behalf of Defendants herein or by agreement of the parties have or will be made, and accordingly that Plaintiffs Martha Castilleja, George A. Castilleja, James E. Castilleja, and Cynthia A. Lopez and Martha Castilleja as next friend of the minor Plaintiff, Nicolas G. Castilleja, shall take nothing from Defendants for all claims and causes of action which were brought against Defendants, or which Plaintiffs could have brought against Defendants in this cause arising out of the matters more fully described in the Settlement Agreement and Release which Plaintiffs have executed.


It is further ORDERED, ADJUDGED, and DECREED that this Judgment shall be sealed and remain confidential.

It is further ORDERED, ADJUDGED, and DECREED that this Judgment is non-appealable by any party as it is based on the agreements of the parties, after consultation with counsel and the attorney ad litem representing the minor child.

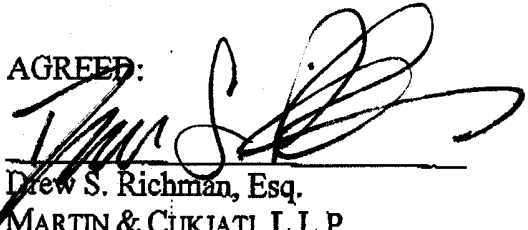
It is further ORDERED, ADJUDGED, and DECREED that all other relief requested is denied and that all claims which were or could have been asserted in this cause are denied and dismissed with prejudice.

This Judgment disposes of all parties and all claims, and is a FINAL JUDGMENT.

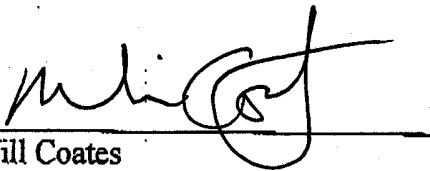
SIGNED this 28th day of July, 2006.

  
HONORABLE SAM SPARKS  
United States District Judge



AGREED:

  
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